

R E M A R K S

Reconsideration of this application is respectfully requested.

On page 3 of the Office Action, the Examiner acknowledges that US 2002/0171571 ("Sheynblat et al") does not disclose sending electronic mail to an addressee. The Examiner contends, however, that it would have been obvious to modify Sheynblat et al "to provide web mail server [sic] to exchange data" in view of the teachings of USP 6,233,452 ("Nishino").

It is respectfully pointed out, however, that the Examiner's acknowledgment that Sheynblat et al does not disclose sending electronic mail to an addressee does not recognize the significant underlying differences between the claimed present invention and Sheynblat et al. In particular, as pointed out in the Amendment filed on April 4, 2006: (i) none of the communication terminals of Sheynblat et al originate an electronic mail and attach position information to the electronic mail in the manner of the claimed present invention, and although the communication terminals of Sheynblatt et al do provide position information to the web server, this position information is not attached to an electronic mail to be sent to an addressee; and (ii) in Sheynblat et al, although the web server can produce graphical representations of demographic or usage data (which arguably could be considered to be "regional image information"),

these images are not attached to an electronic mail sent by a communication terminal and are not transmitted with an electronic mail to an addressee set for the electronic mail at the communication terminal, in the manner of the claimed present invention.

It is respectfully submitted that the mere provision of a web mail server in the system of Sheynblat et al, as suggested by the Examiner, would not achieve these features of the present invention.

Indeed, it is respectfully pointed out that according to Sheynblat et al, the communication terminal that sends position information to a web server is itself the intended recipient of the location-based information from the web server relating to the position information. See pages 8 and 9 of the Amendment filed on April 4, 2006, and paragraphs [0118], [0121] and [0128] of Sheynblat et al. It is respectfully submitted that the provision of a web server in Sheynblat et al, as suggested by the Examiner, would not change the fact that according to Sheynblat, "in response to receiving information relating to the location of the client (and/or other location of interest) the Web server provides location-based information to the client." That is, according to Sheynblat et al, a client seeks information about its own location, or a location in which it is interested, from a web server.

It is respectfully submitted that Sheynblat et al does not disclose, teach or suggest sending an email with position information attached thereto to an addressee, and that there would be no reason to attach the position information of Sheynblat et al to an email to an addressee, since the communication terminal that sends the position information according to Sheynblat et al is also the intended recipient of location-based information related to the sent position information.

By contrast, according to the present invention as recited in independent claim 11, a communication terminal transmits to a service center an electronic mail to be sent to an addressee along with position information attached to the electronic mail, which indicates the current position of the communication terminal. The service center reads out, from the regional image information storing means, regional image information associated with the position information attached to the electronic mail received by the service center, and attaches the regional image information to the received electronic mail. This service center then transmits (or transfers) the electronic mail to which the regional image information is attached to the addressee.

That is, according to the present invention, an electronic mail with position information attached thereto is sent to a service center; the service center reads out regional image

information associated with the position information and attaches the image information to the electronic mail; and the service center transmits the electronic mail to which the regional image information is attached to the addressee. As a result, according to claim 11 regional image information relating to a position of a sender communication terminal is attached to electronic mail sent to an addressee.

By contrast, as explained hereinabove and in the Amendment filed on April 4, 2006, Sheynblat et al discloses a communication terminal which obtains location-based information for itself. And it is respectfully submitted that modifying Sheynblat et al to include a web mail sever as suggested by the Examiner would not changes the workings of Sheynblat et al such that the communication terminal is no longer the intended recipient of the location-based information from the web server.

It is respectfully submitted, moreover, that Sheynblat et al does not disclose, teach or suggest attaching regional image information to electronic mail and sending the electronic mail with the image attached thereto to an addressee. And it is respectfully submitted that even if Sheynblat et al were modified to include a web mail server as suggested by the Examiner, there is no disclosure in Sheynblat et al or Nishino et al that would suggest modifying Sheynblat et al to send regional image information (corresponding to position information of a

communication terminal originating an electronic mail) to an addressee.

As explained hereinabove, Sheynblat et al merely discloses that the web server reads location-based information based on position information provided by the communication terminal, and provides the information to the communication terminal.

In addition, as pointed out in the Amendment filed on April 4, 2006, the graphs, charts and maps mentioned in paragraphs [0123] and [0129] of Sheynblat et al are intended for government, business and advertiser use, and that Sheynblat et al only mentions providing this information for access via the Internet by other users. Indeed, no addressee or destination for this information is indicated at the client terminal according to Sheynblat et al. And it is respectfully submitted that merely providing a web mail server in the system of Sheynblat et al would not achieve attaching regional image information to an electronic mail to be sent to an addressee.

Finally, it is respectfully submitted that, although as recognized by the Examiner Nishino discloses that a user terminal can download and exchange electronic mail, Nishino does not disclose, teach or suggest a communication terminal that transmits an electronic mail (to be sent to an addressee) along with position information attached to the electronic mail, which indicates the present position of the communication

terminal. And it is respectfully submitted that Nishino does not disclose, teach or suggest a service center that reads out from regional image information storing means, regional image information associated with the position information attached to the received electronic mail, attaches the regional image information to the received electronic mail, and transmits (or transfers) the electronic mail to which the regional image information is attached to the addressee.

As explained in detail hereinabove, it is respectfully submitted that even if Sheynblat et al and Nishino were combined as suggested by the Examiner, the resultant combination still would not logically suggest the features of the present invention as recited in independent claim 11, whereby a communication terminal comprises: mail creation means for creating an electronic mail to be sent to an addressee; detecting means for detecting a current position of the communication terminal; and transmission means for attaching position information indicating the current position detected by the detecting means to the electronic mail and transmitting the electronic mail with the position information attached thereto to the service center, and whereby a service center comprises: storing means for storing regional image information specific to positions of the communication terminal, wherein the regional image information comprises stored images specific to the positions of the

communication terminal; reading means for reading from the storing means the regional image information, comprising at least one of the stored images, corresponding to the position information attached to the electronic mail and attaching the regional image information to the electronic mail; and means for transmitting the electronic mail with the regional image information attached thereto to the addressee.

Accordingly, it is respectfully submitted that the present invention as recited in independent claim 11 and claims 13-15, 21 and 22 depending therefrom clearly patentably distinguishes over Sheynblat et al and Nishino, taken singly or in combination, under 35 USC 102 as well as under 35 USC 103.

In view of the foregoing, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900
DH:iv:wc